

RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM AND METHOD FOR A VIRTUAL SOFT HANDOVER IN A HIGH DATA RATE NETWORK BASED ON DATA TRANSMISSION INFORMATION**, the specification of which: (mark only one)

- X (a) is attached hereto.
 (b) was filed on _____, as Application Serial No. _____ and was amended on _____ (if applicable)
 (c) was filed as PCT International Application No. PCT/_____ on _____ and was amended on _____ (if applicable).
 (d) was filed on _____ as Application Serial No. _____ and was issued a Notice of Allowance on _____.
 (e) was filed on _____ and bearing attorney docket number _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the

subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first</u>	<u>Date</u>	<u>Priority Claimed</u>	
			<u>laid-open or Published</u>	<u>patented or Granted</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
_____	_____	_____
_____	_____	_____

I hereby appoint:

TIMOTHY G ACKERMANN, Reg No 44,493
 BENJAMIN J BAI, Reg No 43,481
 MICHAEL J BLANKSTEIN, Reg No 37,097
 MARY JO BOLDINGH, Reg No 34,713
 MARGARET A BOULWARE, Reg No 28,708
 MATTHEW O BRADY, Reg No 44,554
 DANIEL J. BURNHAM, Reg No 39,618
 THOMAS L CANTRELL, Reg No 20,849
 RONALD B COOLLEY, Reg No 27,187
 THOMAS L CRISMAN, Reg No 24,846
 STUART D DWORK, Reg No 31,103
 WILLIAM F ESSER, Reg No 38,053
 ROGER J. FRENCH, Reg No 27,786
 JANET M. GARETTO, Reg No 42,568
 MARK GATSCHET, Reg No 42,569
 JOHN C. GATZ, Reg No 41,774
 RUSSELL J GENET, Reg No 42,571
 GERALD H GLANZMAN, Reg No 25,035

LEKHA GOPALAKRISHNAN, Reg No 46,733
 J KEVIN GRAY, Reg No 37,141
 STEVEN R. GREENFIELD, Reg No 38,166
 JOSHUA A GRISWOLD, Reg No 46,310
 J PAT HEPTIG, Reg No 40,643
 SHARON A ISRAEL, Reg No 41,867
 JOHN R KIRK JR., Reg No 24,477
 PAUL R KITCH, Reg No 38,206
 TIMOTHY M KOWALSKI, Reg No 44,192
 JAMES F LEA III, Reg No 41,143
 HSIN-WEI LUANG, Reg No 44,213
 ROBERT W MASON, Reg No 42,848
 ROGER L MAXWELL, Reg No 31,855
 LISA H MEYERHOFF, Reg No 36,869
 STANLEY R MOORE, Reg No 26,958
 P WESTON MUSSELMAN JR, Reg No 31,644
 DANIEL G NGUYEN, Reg No 42,933
 SPENCER C PATTERSON, Reg No 43,849

RUSSELL N RIPPAMONTI, Reg No 39,521
 ROSS T ROBINSON, Reg No 47,031
 STEPHEN G RUDISILL, Reg No 20,087
 HOLLY L RUDNICK, Reg No 43,065
 J L JENNIE SALAZAR, Reg No 45,065
 KEITH W SAUNDERS, Reg No 41,462
 JERRY R SELINGER, Reg No 26,582
 JAMES O SKARSTEN, Reg No 28,346
 ZACHARY J SMOLINSKI, Reg No 47,100
 GARY B SOLOMON, Reg No 44,347
 STEVE Z SZCZEPANSKI, Reg No 27,957
 ANDRE M SZUWALSKI, Reg No 35,701
 ALAN R THIELE, Reg No 30,694
 TAMSEN VALOIR, Reg No 41,417
 BRIAND WALKER, Reg No 37,751
 GERALD T WELCH, Reg No 30,332
 HAROLD N WELLS, Reg No 26,044
 WILLIAM D WIESE, Reg No 45,217

all of the firm of **JENKENS & GILCHRIST, P.C.**, 3200 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization


who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Holly L. Rudnick
Jenkins & Gilchrist, P.C.
3200 Fountain Place
1445 Ross Avenue
Dallas, Texas 75202-2799
214/855-4780
214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	DIPANKAR RAY		01/15/02
	Full Name	Inventor's Signature	Date
	2417 Frosted Green Lane Plano, Texas 75025		
	Residence (city, state, country)	India Citizenship	
	2417 Frosted Green Lane Plano, Texas 75025		
	Post Office Address (include zip code)		

2	SONAL PAUDDAR	<i>Sonal Pauddar</i>	1-14-02
	Full Name	Inventor's Signature	Date
	3400 Custer Road #2133 Plano, Texas 75023 Residence (city, state, country)		
		India	Citizenship
	3400 Custer Road #2133 Plano, Texas 75023 Post Office Address (include zip code)		

3	PANKAJ POBARU	<i>Pankaj Pobaru</i>	01/15/02
	Full Name	Inventor's Signature	Date
	7575 Frankford Road #3123 Dallas, Texas 75252 Residence (city, state, country)		
		India	Citizenship
	7575 Frankford Road #3123 Dallas, Texas 75252 Post Office Address (include zip code)		

4	JOHN CURTIN	<i>John Curtin</i>	01/15/02
	Full Name	Inventor's Signature	Date
	402 Georgetown Drive Richardson, Texas 75081 Residence (city, state, country)		
		U.S.A.	Citizenship
	402 Georgetown Drive Richardson, Texas 75081 Post Office Address (include zip code)		